

**CASE DIGEST:** *AFGE, Loc. 1858*, 73 FLRA 565 (2023)

The Arbitrator denied a grievance concerning the Agency's failure to select the grievant for two vacant positions. The Union argued that the award was contrary to law because the Arbitrator applied the wrong burden of proof. As the issue was purely contractual, and the Union did not assert the parties' agreement required any specific burden of proof, the exception did not demonstrate that the award was deficient. Accordingly, the Authority denied the exception.

This case digest is a summary of a decision issued by the Federal Labor Relations Authority, with a short description of the issues and facts of the case. Descriptions contained in this case digest are for informational purposes only, do not constitute legal precedent, and are not intended to be a substitute for the opinion of the Authority.